

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TABATHA FRERKS, et al.,

CASE NO. C19-978RSM

Plaintiffs,

ORDER TO SHOW CAUSE

V.

TODD P. WOLF, et al.,

Defendants.

This matter comes before the Court *sua sponte*. This matter has been pending since July 19. Dkt. #8. Pursuant to Federal Rule of Civil Procedure 4, Plaintiff is required to serve defendant and file proof of service with the Court. FED. R. CIV. P. 4(l). “If a defendant is served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order service be made within a specified time.” FED. R. CIV. P. 4(m). Upon a showing of good cause, “the court must extend the time for service for an appropriate period.” *Id.*

To date, defendants Todd P. Wolf, Denis M. Wyssbrod, and DMW WIS LLC have not appeared in this action. After Plaintiffs sought entry of default as to these defendants, the Court concluded “Plaintiffs attempted service by mail” but did “not demonstrate that service by mail is authorized by [Federal Rule of Civil Procedure] 4.” Dkt. #35 at 2.

Accordingly, the Court ORDERS that Plaintiffs shall file a Response to this Order to Show Cause explaining: (1) the manner in which Plaintiffs have served these defendants in accordance with the Federal Rules of Civil Procedure, and (2) if defendants have not yet been served in accordance with the Federal Rules of Civil Procedure, why the Court should allow Plaintiff additional time to properly serve defendants. Plaintiffs' Response is not to exceed five (5) pages and must be filed no later than fourteen (14) days from the date of this Order. Failure to respond could result in dismissal of your claims against the above specified defendants and your entire action.

Dated this 19 day of February, 2020.

Ricardo S. Martinez
RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE